

REMARKS:

Claims 23 – 91 were pending in the application. Claims 1 – 22 have been cancelled. Claims 43 and 71 have been amended. Claims 92 – 101 have been added. Claims 23 – 101 accordingly remain pending in the application.

Claims 23 – 91 stand rejected under U.S.C. 112, first paragraph, as failing to comply with the written description requirement, and under 35 U.S.C. 112, first paragraph, as failing to comply with the enable requirement. Applicant respectfully traverses these rejections.

Applicant respectfully submits that the subject matter of the claims is described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. In particular, one of skill in the art would clearly recognize that the GUI functionality as described would typically include implementations in the form of instructions stored on a computer readable medium. In addition, the disclosed functionality is repeatedly described in the context of other well known GUI functionality implemented in software such as the WINDOWS GUI (e.g., *see* page 11, lines 28 – 30). For similar reasons, Applicant likewise submits that the subject matter of Claims 23 – 91 is described in the specification in such a way as to comply with the enablement requirement.

Notwithstanding the foregoing, Applicant further notes that **original claims 17 – 22 explicitly recite embodiments including code segments that implement the disclosed functionality as part of a computer program embodied on a computer readable medium.** Applicant has amended the specification at page 5 to include a description that parallels the subject matter as originally recited in Claims 17 – 19.

For at least the reasons stated above, Applicant respectfully requests the Examiner to withdraw the rejections of Claims 23 – 91 under 35 U.S.C. 112, first paragraph, as

failing to comply with the written description requirement and the enablement requirement.

Claims 23 – 91 also stand rejected under 35 U.S.C. 101. The Examiner alleges the claimed invention is directed to non-statutory subject matter. However, the Examiner further states that “the process is not tangibly limited to a product that is within and enabled by the specification” (apparently in reference to the rejections under 35 U.S.C. 112, first paragraph). Applicant is accordingly unclear with regard to the basis for the rejection under 35 U.S.C. Applicant respectfully submits that the claims, which recite a computer readable medium storing instructions, are limited to tangible embodiments that comply with 35 U.S.C. 101.

Claims 43 and 71 stood rejected under 35 U.S.C. 112, second paragraph. Claims 43 and 71 have been amended to overcome this rejection.

Claims 23, 59, 74, 81, 86 and 90 were rejected by the Examiner based on the judicially-created doctrine of double patenting in view of Claims 1 – 7 of U.S. Patent number 6,693,236. Applicant respectfully traverses this rejection. In particular, none of Claims 1 – 7 of the ‘236 Patent disclose or suggest displaying “**a meta-folder containing a search object**” or automatically initiating “the resolution of the search object by searching”, as variously set forth in Claims 23, 59, 81 and 90. None of Claims 1 – 7 of the ‘236 Patent likewise disclose or suggest displaying “**at least one meta-folder containing a search object**, whereupon opening the meta-folder, the search object is resolved by searching for conventional objects that satisfy the search object” as set forth in Claim 86. For at least these reasons, Applicant respectfully requests the Examiner to withdraw the double patenting rejection.

Claims 23 – 39, 44 – 53, 59 – 67, 72 – 78 and 81 – 91 stand rejected under 35 U.S.C. 102(e) as being anticipated by Kahn. Claims 40 – 43, 54 – 58, 68 – 71, 79 and 80 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kahn in view of Fritsch. Applicant respectfully traverses these rejections.

Neither Kahn nor Fritsch, taken both singly and in combination, disclose or suggest the combinations of features as variously set forth in the claims. For example, Claim 23 recites instructions capable of causing a personal computer to “display a meta-folder containing a search object configured by a user” and automatically initiating “the resolution of the search object by searching the network and the personal computer for conventional objects that satisfy the search object.” These features in combination with the remaining features of Claim 23 are neither disclosed nor suggested by Kahn or Fritsch.

In rejecting Claim 23, the Examiner asserts that Kahn discloses instructions that cause personal computer to “display a meta-folder containing a search object configured by a user; open the meta-folder [i.e., on-line bookmark icons, Kahn, col. 14, line 31 – col. 15, line 12]. Applicant respectfully disagrees with this assertion.

Kahn teaches at col. 14, line 31 – col. 15, line 12 display of an icon 610 to represent a bookmark (also known as a favorite, a link, or a shortcut) of the user. Next to this icon 610 may be a text 612 providing further indication of the site to which the particular bookmark provides a link to (see col. 14, lines 44 – 51). To visit the bookmarked site, a user clicks on a bookmark icon 610 which will open up a new window and take the user to the bookmarked site (see col. 15, lines 6 – 8.) The bookmark is thus a saved link to a website that, when selected, accesses the linked website. This referenced section of Kahn does not teach or suggest the display of a **“meta-folder containing a search object configured by a user”** as recited in Claim 23.

The Examiner further asserts that Kahn discloses automatically initiating “the resolution of the search object by searching the network and the personal computer for conventional objects that satisfy the search object [i.e., drill down to a sub-category, Kahn col. 12, line 55 – col. 13, line 23 and col. 20, line 30 – col. 21, line 16]. Applicant also disagrees with this assertion.

Kahn teaches at column 12, line 55 – column 13, line 23 that sites 304 may be categorized in user-created and defined categories and sub-categories. The user is allowed the option to grow the categorization tree by adding nodes or sub-categories that best capture the category for the bookmarks they wish to add. Kahn also teaches at column 20, line 30 – column 21, line 16 that a user may search through their bookmarks for keywords. This is accomplished by clicking on the “search” button 710 so that a search dialog box 2100 is displayed. A keyword may then be entered into the keyword box 2102. To execute the search, the search bookmarks button 2116 is then selected (col. 20, lines 46 – 58). The user may also sort their bookmarks by clicking on the sort button 712 to display a sort screen 2200. However, nothing in these sections of Kahn discloses or suggests displaying a **meta-folder containing a search object** and automatically initiating the resolution of the search object by searching for conventional objects that satisfy the search object, as recited in Claim 23.

Applicant reminds the Examiner that anticipation requires the presence in a single prior art reference disclosure of each and every limitation of the claimed invention, arranged as in the claim. M.P.E.P 2131; *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicant respectfully submits that Kahn fails to disclose displaying a meta-folder containing a search object and automatically initiating the resolution of the search object by searching for conventional objects that satisfy the search object. Therefore, Kahn cannot be said to anticipate claim 23.

For at least the reasons stated above, Applicant respectfully submits that Claim 23, along with its dependent claims, patentably distinguish over both Kahn and Fritsch. Claims 59, 74, 81, 86, 90 and 96 recite similar features. Accordingly these claims, along with their respective dependent claims, are also believed to be patentably distinguished over both Kahn and Fritsch for similar reasons.

In addition, Claim 92 recites code executable to “display an icon representing a search object along with one or more icons representing conventional objects in a window of a graphical user interface”, initiate resolution of the search object”, and “display the icons representing the one or more conventional objects along with icons representing the additional conventional objects that satisfy the searching criteria in the window of the graphical user interface”. Neither Kahn nor Fritsch disclose or suggest this combination of features. Accordingly, Claim 92 and dependent Claim 93 are believed to be patentably distinguished over the cited references. Claims 94 and 95 recite similar features, and are likewise believed to be patentably distinguished.

The Commissioner is authorized to charge any fees that may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505\6057-06101.

Respectfully submitted,



B. Noël Kivlin
Reg. No. 33,929
ATTORNEY FOR APPLICANTS

Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
(512) 853-8800
Date: February 1, 2006